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17 **UNITED STATES DISTRICT COURT**  
18 **NORTHERN DISTRICT OF CALIFORNIA**  
19 **SAN FRANCISCO DIVISION**

20 In re: CATHODE RAY TUBE (CRT)  
21 ANTITRUST LITIGATION

22 Master File No. 3:07-CV-05944-JST  
23 MDL No. 1917

24 This Document Relates To:

25 **DECLARATION OF PHILIP J. IOVIENO**  
26 **IN SUPPORT OF PLAINTIFF'S**  
27 **OPPOSITION TO DEFENDANTS'**  
28 **MOTION FOR EVIDENTIARY**  
29 **HEARING RE: MARTA'S STANDING**

30 *P.C. Richard & Son Long Island Corp.,*  
31 *et al. v. Hitachi, Ltd., et al., No. 12-cv-*  
32 *02648*

33 Date: March 8, 2018  
34 Time: 2:00 pm  
35 Before: Hon. Jon S. Tigar

1 I, **PHILIP J. IOVIENO**, declare as follows:

2 1. I am a partner at the law firm of Boies Schiller Flexner LLP, counsel for MARTA  
3 Cooperative of America, Inc., and I am licensed to practice law in the State of New York and  
4 admitted to practice *pro hac vice* before this Court.

5 2. Attached hereto as Exhibit A is a true and correct copy of an order granting a motion  
6 for a new trial in *In re EDNY Cathode Ray Tube Antitrust Cases*, No. 1:17-cv-04504-BMC  
7 (E.D.N.Y.), dated December 17, 2017.

8 3. Attached hereto as Exhibit B is a true and correct copy of Defendants' Proposed  
9 Final Jury Instruction No. 37, exchanged October 11, 2017.

10 4. Attached hereto as Exhibit C is a true and correct copy of Defendants' Proposed  
11 Final Jury Instruction No. 39, exchanged October 11, 2017.

12 5. Attached hereto as Exhibit D is a true and correct copy of Defendants' Proposed  
13 Final Jury Instruction No. 48, exchanged October 11, 2017.

14 6. Attached hereto as Exhibit E is a true and correct copy of Defendants' Proposed  
15 Final Jury Instruction No. 40, exchanged October 11, 2017.

16  
17 I declare under penalty of perjury that the foregoing is true and correct.  
18

19 Executed this 30<sup>th</sup> day of January, 2018, at Albany, New York.  
20

21 /s/ Philip J. Iovieno  
Philip J. Iovieno  
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